

Exhibit 3

KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

Andrew B. Bloomer, P.C.
To Call Writer Directly:
(312) 862-2482
andrew.bloomer@kirkland.com

300 North LaSalle
Chicago, Illinois 60654

(312) 862-2000

www.kirkland.com

Facsimile:
(312) 862-2200

August 14, 2015

The Honorable Jesse M. Furman
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: In re: General Motors LLC Ignition Switch Litigation,
14-MD-2543 (JMF)**

Dear Judge Furman:

Pursuant to this Court's Order No. 8 § V, Lead and Liaison Counsel and counsel for General Motors LLC ("New GM") submit this joint written update to advise the Court of matters of possible significance in proceedings related to MDL 2543.

First, the trial date has been continued from August 24, 2015 until February 1, 2016 in *Felix, et al. v. Gen. Motors LLC*, No. 1422-CC09472 (City of St. Louis, Mo.). A copy of the order is attached hereto as Exhibit 1. New GM will seek a writ of prohibition in Missouri appellate court to remove the action from the trial docket on jurisdictional grounds, absent which counsel for New GM will confer with plaintiffs' counsel to develop a scheduling order and trial setting more appropriate to the case's posture. Additionally, on August 3, 2015, the *Felix* plaintiffs cross-noticed the depositions of four MDL deponents. A copy of the cross-notice is attached hereto as Exhibit 2.

Second, on August 3, 2015, the court continued the stay in *State of Arizona v. Gen. Motors LLC*, No. CV2014-14090 (Maricopa County, Ariz.), and ordered submission of the next joint status report on October 1, 2015. A copy of the order is attached hereto as Exhibit 3.

Third, on August 7, 2015, counsel for plaintiffs in *Gambill*, MDL No. 1:15-cv-02035, filed a duplicative complaint in Kentucky state court, *Gambill, et al. v. Gen. Motors LLC* (Magoffin County, Ky.), a personal injury action alleging an ignition switch defect in a 2005 Chevrolet Cobalt. A copy of the complaint is attached hereto as Exhibit 4. New GM understands from plaintiffs' counsel that the duplicative state court action will be voluntarily dismissed shortly, absent which New GM will file a motion to dismiss the state court action.

KIRKLAND & ELLIS LLP

The Honorable Jesse M. Furman
August 14, 2015
Page 2

Fourth, on August 12, 2015, Lead Counsel filed a letter in the Second Circuit, referencing their previous motions seeking leave to intervene in and file oppositions to the petition and cross-petitions for leave to appeal the Bankruptcy Court's June 1, 2015 Judgment directly to the Second Circuit, and stating that they now "support immediate appeal to the Second Circuit as it will materially advance this litigation." A copy of the letter is attached hereto as Exhibit 5.

Fifth, on August 13, 2015, the Honorable Truman Hobbs entered the the MDL 2543 Coordination Order ("Coordination Order") in *Popwell v. Gen. Motors Co., et al.*, No. 03-CV-2014-90170.00 (Montgomery County, Ala.), an individual economic loss action alleging ignition switch defects in a 2010 Chevrolet Cobalt. A copy of the order is attached hereto as Exhibit 6. On August 3, 2015, the court entered a scheduling order setting trial for January 11, 2016. A copy of the scheduling order is attached hereto as Exhibit 7. New GM intends shortly to request a continuance and will seek plaintiff's cooperation in that regard.

Sixth, on August 13 and August 14, 2015, New GM filed opposed motions for entry of the Coordination Order in three Related Actions: *Alden, et al. v. Gen. Motors LLC*, No. 1522-CC09842 (City of St. Louis, Mo.), *Austin, et al. v. Gen. Motors LLC*, No. 2015L0000026 (St. Clair County, Ill.), and *Shell, et al. v. Gen. Motors LLC*, No. 1522-CC00346 (City of St. Louis, Mo.), wrongful death and personal injury actions each alleging ignition switch defects in multiple accidents. Copies of the motions are attached hereto as Exhibits 8–10, respectively. New GM has noticed hearings on the motions for **September 8, 2015**.

Seventh, in addition to Lead Counsel's letter to the Second Circuit noted above, the following filings were made and orders entered related to proceedings in the Bankruptcy Court since the parties' July 31, 2015 joint letter to the Court (*see* Doc. No. 1223):

- **July 31, 2015:** The State of Arizona and State of California ("the States") filed notices of appeal in connection with the Bankruptcy Court's Judgment dated June 1, 2015, and its April 15, 2015 Decision. Also, New GM filed a letter with the Bankruptcy Court advising it of communications with this Court related to the bankruptcy proceedings.
- **August 3, 2015:** The *Bledsoe* plaintiffs filed a notice of appeal in connection with the Bankruptcy Court's Judgment dated June 1, 2015, and its July 22, 2015 Decision and Order on the *Bledsoe* Plaintiffs' Reargument and Other Post-Judgment Motions. Also, New GM filed with the Bankruptcy Court a Counter-Designation of Additional Items To Be Included In the Record On Appeal with respect to the June 1, 2015 Judgment, in response to the designation of the record on appeal filed by the *Phillips* plaintiffs.

KIRKLAND & ELLIS LLP

The Honorable Jesse M. Furman
August 14, 2015
Page 3

- August 5, 2015: The States and Designated Counsel filed jointly in the Bankruptcy Court an Objection to New GM's Motion to Enforce the Stay Imposed By the June 1, 2015 Judgement and also a Motion to Withdraw the Reference. Also, New GM filed a letter in the Bankruptcy Court concerning the status of the No Stay Pleading filed by the *Pillars* plaintiff.
- August 7, 2015: New GM filed a Counter-Designation of Additional Items To Be Included In the Record On Appeal concerning the *Phillips* plaintiff's Motion for Rule 60(b) Relief. Also, New GM and the GUC Trust each filed a Response to the Non-Ignition Switch Plaintiffs' (i) Objection Pleading with Regard to the Second Amended Consolidated Complaint and (ii) GUC Trust Asset Pleading and the Amended Reservation of Rights of Certain Non-ISD Pre-Closing Accident Plaintiffs. Certain Non-ISD Pre-Closing Accident Plaintiffs filed a reply to New GM's and the GUC Trust's responses. New GM also filed a reply in support of its Motion to Enforce the Stay Imposed By the June 1, 2015 Judgement.
- August 10, 2015: The Bankruptcy Court entered an Errata Order concerning the Court's May 27, 2015 Decision re Form of Judgment.
- August 11, 2015: The *Adams* plaintiffs filed a No Dismissal Pleading with the Bankruptcy Court. Also, New GM filed with the Bankruptcy Court a motion for reconsideration of the Bankruptcy Court's Order regarding the *Pillars'* No Dismissal Pleading.
- August 13, 2015: The Bankruptcy Court entered a Bench Decision and Order on New GM's Motion to Enforce Judgment Stay on Motions to Withdraw Reference.

Copies of the foregoing documents are attached hereto as Exhibits 11–27, respectively.

Eighth, pursuant to Order No. 1 § X.8, the Defendants' July 21, 2014 Status Letter (Doc. No. 73) included an Exhibit A listing cases consolidated to date in MDL 2543, as well as an Exhibit B listing related cases pending in state and federal court, together with their current status. For the Court's convenience, updated versions of Exhibits A and B are attached hereto as Exhibit 28.

KIRKLAND & ELLIS LLP

The Honorable Jesse M. Furman
August 14, 2015
Page 4

Finally, the parties continue to work to ensure that the Court is provided with current and correct contact information for presiding judges in actions listed in the aforementioned Exhibit B. To that end, the Federal/State Liaison Counsel intends to shortly submit to the Court updates, if any, to the e-mail addresses of the presiding judges in Related Actions.

Respectfully submitted,

/s/ Richard C. Godfrey, P.C.

/s/ Andrew B. Bloomer, P.C.

Counsel for Defendant General Motors LLC

cc: The Honorable Robert E. Gerber
MDL Counsel of Record